

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

<b>In the Matter of</b>	)	
	)	
<b>E911 Requirements for IP-Enabled Service Providers</b>	)	<b>WC Docket No. 05-196</b>
	)	

**M5 NETWORKS, INC.  
SUBSCRIBER NOTIFICATION REPORT**

M5 Networks, Inc. ("M5"), by its undersigned counsel, submits this Report regarding its efforts to notify its customers of the potential limitations of its E911 service offering, as required by the Commission's *VoIP E911 Order*.<sup>1</sup> This report is submitted in compliance with the Commission's Public Notice dated July 26, 2005 ("Public Notice").<sup>2</sup>

M5 Networks, Inc. is a New York-based provider of outsourced IP Phone System Service to business customers. Its services include IP-enabled voice services interconnected with the public switched telephone network, and so M5 falls within the definition of "interconnected VoIP provider" as established by the *VoIP E911 Order*. Pursuant to that Order, and the Commission's Public Notice, M5 has taken the following steps:

**Provision of Notice of Potential Limitations of E911 Service**

On July 29, 2005, M5 sent a statement regarding the potential limitations of its E911 service to all of its customers by email. The notice explained that M5's E911 service may not function under the following circumstances:

- \* If there is a power outage.
- \* If the broadband connection is disrupted or congested for any reason.
- \* The E911 service may not be operative until several days after service is initiated, or if the service address is changed.

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<sup>1</sup> *IP-Enabled Services and E911 Requirements for IP-Enabled Service Providers*, First Report and Order and Notice of Proposed Rulemaking, 2005 WL 1323217, FCC (rel. June 23, 2005) (*VoIP E911 Order*).

<sup>2</sup> Public Notice, *Enforcement Bureau Provides Guidance to Interconnected Voice Over Internet Protocol Service Providers Concerning the July 29, 2005 Subscriber Notification Deadlines*, DA 05-2085 (rel. July 26, 2005).

- \* The E911 service may not work if the customer's phone is located outside of a specified geographic service area.
- \* The E911 service may not work if the customer moves the phone to a new location without alerting M5.
- \* The E911 service may not work if the address verification form is incorrectly filled out.
- \* The E911 service may not work if the customer uses a PC-based softphone.

M5 sent a second email to its customers who had not yet responded on August 8, 2005.

### **Quantification of Affirmative Responses**

To date, M5 has received affirmative responses from 56% of its customers. M5 anticipates obtaining a 100% affirmative response rate by or before August 29, 2005.

### **Distribution of Warning Labels**

M5 included a tent card warning label with its email distributions of July 29 and August 8. The tent card contained a statement in large, red type stating: "WARNING – If you are using a VoIP service, you may not be able to contact an emergency operator by dialing 911." The tent card included instructions for placement near any phone used for VoIP service.

### **Quantification of Subscribers Not Notified**

None. Notice was sent to all M5 customers.

### **Additional Actions Being Taken to Obtain Affirmative Responses**

M5 is in the process of making telephone calls to all non-responding customers, soliciting their written confirmation of the receipt and understanding of the email notices and warning labels. M5 anticipates having 100% affirmative responses by or before August 29.

### **Retention of Affirmative Responses**

M5 is retaining all email responses from its customers electronically.

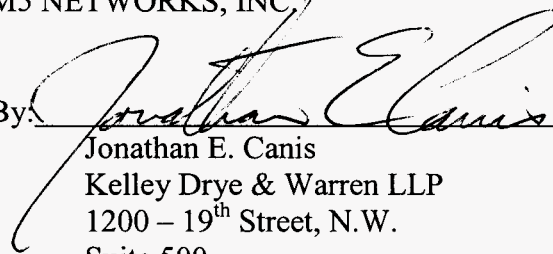
## M5 Networks, Inc. Compliance Contact

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Respectfully submitted,

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